

**IDAHO STATE BAR APPELLATE PRACTICE SECTION
GOVERNING COUNCIL MEETING**

SEPTEMBER 12, 2019, 12:00 p.m.

Location: Stoel Rives, 101 S. Capitol Blvd., Suite 1900, Boise, ID 87302

Attending: Kim Coster (Chairperson, presiding officer), Lori Fleming (Vice Chairperson), Ben McGreevy (Secretary/Treasurer), Brian Dickson (Past Chairperson), Stephen Adams, Brian Church, Leslie Hayes, Jaycee Nall, Jonathan Shirts (At-Large Council Members), Christopher Pooser

1. Events

a. Handbook Update

Christopher Pooser's handbook update was moved forward on the agenda, because he had another engagement. He reported that the update was going pretty well. Nine of the fourteen handbook chapters were already in the queue to be finalized. Help was needed on the remaining five. Lori would assist on Chapter Five, while Brian Church would handle Chapters Thirteen and Fourteen, which were pretty much done.

Christopher was worried about the chapters on preserving issues and standards of review. Those were probably the biggest chapters, with the most citations. Chapter Two, the preserving issues chapter, needed to have its citations checked and new caselaw added. Kim would provide some updated caselaw, while Christopher and Brian Church would review the chapter over the next two weeks. As for Chapter Eight, on standards of review, that had originally been written by Dean Burnett as a law review article. Christopher wanted to use subtitles and subheadings to make the chapter more readable. Jaycee agreed to assist on that. The editing group would work on case checks, and Christopher would review the chapter after the new content was added.

The goal was to complete the handbook update by September 27, and get the PDF to the Bar the following Monday. The Bar would then place the handbook on thumb drives for the CLE on October 4. Christopher would follow up with Teresa Baker.

Discussion turned to the introduction and acknowledgements. Because the third edition was changing things up, would we keep the acknowledgements and authors? Stephen explained that, for copyright purposes, we would want a full list of the authors in the copyright. Kim wanted to keep the existing list of authors and add people.

Christopher would review the outstanding chapters. Leslie and Jonathan were available to review the handbook update once it was compiled.

2. Minutes

The motion to approve the minutes from the August 8, 2019, Governing Council meeting **passed**.

3. Budget

a. Finance Report

Ben told the Council that the Section did not have any updated financials.

b. Approval of Donation to Concordia for Use of Event Space

The motion to approve a donation in the amount of \$280 to the Concordia University School of Law, for the use of their facility during the CLE, **passed**.

4. Events

b. All-Day CLE

Brian Dickson notified the Council that the expenses for the CLE breakfast, provided by Bacon, would be \$1,573.96. This was under the estimated amount of \$1,700. The Section still needed to figure out drinks and snacks for later in the CLE.

Leslie asked if speakers needed to register for the CLE. Kim stated that speakers did not have to for a previous event, but Leslie reported she paid for the last one she spoke at. Brian Dickson recommended that speakers not be asked to pay. Kim then asked if the registration fee should also be waived for other Council members. The CLE would be all hands on deck. Leslie stated that, traditionally, government attorneys may not have paid for attending events. People would still need to attend the CLE to get credits.

The motion to waive the registration fee for speakers and for Council members **passed**.

i. Reports

On speakers, Brian Dickson reported that was now in the Bar's hands. Leslie would get notice of where to submit items. With respect to registration, the numbers were currently unknown. Webcasting will be free for students. Concordia was aware of that, and Brian Dickson would let the University of Idaho College of Law know. The brochure from the CLE looked good. As for streaming and recording services, it was unclear who Teresa Baker had to manage those services, after the unexpected passing of John Hall. Teresa Baker would check the IT setup a day or two before the CLE.

ii. Catering

For the afternoon refreshments, Brian Dickson recommended that two or three persons make a Costco run for cookies, soda, and juices. Brian Dickson, Jaycee, and Stephen would be available for that. Brian Dickson would submit the receipt for reimbursement.

iii. Setup and Cleanup

Bacon catering would need to be at the event location at 7:30 am, with registration to start at 8:00 am. Kim stated that the Section would need to set up, and might need to check for tables, etc., the day before.

Stephen asked about nametags, and Brian Dickson stated Teresa Baker might handle that. Kim stated the Bar would deal with checking in, and Kim and Teresa Baker would figure it out. Jonathan was available to help on Thursday. Members of the Council would check the space the day before the CLE. The contact at Concordia was Ann Callanan. The Council would also check on the availability of napkins and cleaning supplies. Kim would ask Teresa Baker about registration.

iv. Additional Event Promotion

The CLE was now on the Bar's weekly CLE email, and on the Bar's CLE calendar. The Section could request a push to promote the event to the Section. Leslie wanted to have registration numbers to see how necessary a push would be. Kim stated that Teresa Baker knew that the event space had capacity for 120, and could cut off after that. Brian Dickson noted that the Section sold out of physical space the last time.

Leslie proposed that if around forty people were registered, the Section could send two push emails. If instead more than one hundred were registered, only one push would be necessary. Jonathan asked if the Section could, in the event registration numbers were low, send a push to new Bar members. Jaycee stated the CLE would not count for new attorney credits. Kim would ask Teresa about making the CLE eligible for new attorney credits.

c. The Advocate—Section Sponsorship for September 2020

The Section will be sponsoring the September 2020 issue. The theme and writers were not yet determined. Leslie suggested putting Christopher Pooser on the agenda for the first meeting in 2020. Previously, the Section developed the theme internally, came up with categories of articles, and solicited specific people to write. Brian Dickson stated we could also let the Section know, and call for interested persons. Leslie highlighted how, last time, the Section won article of the year. The submission deadlines will fall around next June, so the Section should start discussing about the issue in the beginning of 2020.

5. Other Business

a. December Member Meeting

Brian Dickson suggested that Justice Moeller and/or Dennis Benjamin could talk about the *Grube* case, which could involve ethics credits and the discussion of *Brady* issues. Or, the meeting could have a CLE on corpus linguistics, perhaps with Justice Bevan or an expert from BYU Law School presenting. Stephen would talk to Justice Bevan about corpus linguistics.

b. Lori Fleming—New Idaho Supreme Court Staff Attorney

Lori was not sure what her recent appointment as the Idaho Supreme Court staff attorney would mean for her officer position with the Section.

6. Adjournment

The meeting adjourned at 12:57 p.m.